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10 Attorneys for Defendant,
11 BEST BUY STORES, L.P.
(erroneously sued as BEST BUY CO., INC.)

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

JASMEN HOLLOWAY, AMY GARCIA,
CHERYL CHAPPEL, ERIC
BLACKSHER, JESSICA TREAS,
LAWRENCE SANTIAGO, JR.,
MUEMBO MUANZA, MAURICE
CALHOUN, NICHOLAS DIXON and
SUSAN MYERS-SNYDER, on behalf of
themselves and all others similarly situated,

Case No. C 05-05056 PJH (MEJ)

[Hon. Phyllis J. Hamilton]

**STIPULATION AND [PROPOSED] ORDER
REGARDING PRODUCTION OF
DOCUMENTS FROM CORPORATE
OFFICERS**

Action filed: December 8, 2005

Plaintiffs,

V.

**BEST BUY CO., INC., and BEST BUY
STORES, L.P.**

Defendant.

ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
ATTORNEYS AT LAW
LOS ANGELES

1 1. WHEREAS, on November 18, 2008, the Court ordered Best Buy to produce "all
 2 non-duplicative relevant documents" from the files of John Walden, Brian Dunn, Brad Anderson
 3 and Richard Schulze by December 9, 2008;

4 2. WHEREAS, Best Buy has represented to Plaintiffs that Best Buy immediately
 5 thereafter began efforts to collect and image the hard drives of the named executives;

6 3. WHEREAS, Best Buy has represented to Plaintiffs that the holiday shopping
 7 season is the busiest time of the year for Best Buy and Best Buy actually goes into "retail freeze"
 8 mode to devote almost 100% of its resources to supporting the retail stores;

9 4. WHEREAS, Best Buy has represented to Plaintiffs that the "retail freeze" will
 10 inevitably affect the timing of Best Buy's production;

11 5. WHEREAS, Best Buy has represented to Plaintiffs that Best Buy has already
 12 obtained and is in the process of imaging three out of four available hard drives;

13 6. WHEREAS, Best Buy has represented to Plaintiffs that Mr. Schulze's hard drive is
 14 currently in Florida and Best Buy is making all necessary arrangements to image it;

15 7. WHEREAS, before Best Buy can begin producing documents, the data obtained
 16 from the hard drives must be filtered using the agreed-upon keyword search terms pursuant to the
 17 Court's November 18 Order;

18 8. WHEREAS, Best Buy has represented to Plaintiffs that before Best Buy can begin
 19 producing documents, the data obtained from the hard drives must be uploaded to its e-discovery
 20 vendor and de-duped so the parties avoid reviewing duplicate documents already produced in this
 21 case;

22 9. WHEREAS, before Best Buy can begin producing documents, they must be
 23 reviewed and marked for responsiveness and privilege issues;

24 10. WHEREAS, Best Buy has represented to Plaintiffs that although Best Buy does
 25 not yet know the volume of data at issue, unless it grossly exceeds expectations, Best Buy
 26 believes it can begin a rolling production and finish by January 9, 2009;

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ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
ATTORNEYS AT LAW
LOS ANGELES

1 THEREFORE, the parties hereby stipulate to the following:

- 2 1. Best Buy shall inform Plaintiffs as soon as possible as to the anticipated volume of
3 documents from the hard drives at issue;
- 4 2. Best Buy shall begin a rolling production as soon as technologically possible;
- 5 3. Best Buy shall keep Plaintiffs informed as to the status and progress of its review
6 and production of documents from these hard drives;
- 7 4. Best Buy shall complete the production of documents in accordance with the
8 Court's November 18, 2008 Order no later than January 9, 2009.

9 DATED: December 8, 2008

10 **ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

11 By: /s/ Lisa Heller
12 Lisa Heller

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14 **ATTORNEYS FOR DEFENDANTS**
15 **BEST BUY CO., INC. and**
16 **BEST BUY STORES, L.P.**

17 DATED: December 8, 2008

18 **ALTSHULER BERZON, LLP**

19 By: /s/ Eve H. Cervantez
Eve H. Cervantez

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24 Attorneys for Plaintiffs

1 **[PROPOSED] ORDER**

2 Pursuant to Stipulation, it is hereby ORDERED that Best Buy shall begin a rolling
3 production of documents falling within the scope of the Court's November 18, 2008 Order as
4 soon as technologically possible. Best Buy shall keep Plaintiffs informed as to the volume and
5 progress of its review and production. Best Buy shall finish its production of these documents no
6 later than January 9, 2009.

7 December 9, 2008

8 DATED: _____

9 MARIAM ELIZA JAMES,
10 United States Magistrate Judge

11 ROBINS, KAPLAN, MILLER & CIRESI L.L.P.
12 ATTORNEYS AT LAW
13 LOS ANGELES

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